



To the Honorable Council  
City of Norfolk, Virginia

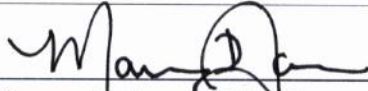
June 14, 2016

From: George M. Homewood, FAICP, CFM, Planning Director

Subject: **Special exception to operate an automobile and truck repair facility at 5880 Poplar Hall Drive – Dale Stocks, Sr.**

Reviewed:   
Ronald H. Williams, Jr., Deputy City Manager

Ward/Superward: 4/7

Approved:   
Marcus D. Jones, City Manager

Item Number:

**R-10**

- I. **Staff Recommendation:** Approval.
- II. **Commission Action:** By a vote of **7 to 0**, the Planning Commission recommends **Approval**.
- III. **Request:** Special exception – automobile and truck repair.
- IV. **Applicant:** Dale Stocks, Sr.
- V. **Description:**
  - The site is located on the north side of Poplar Hall Drive to the south of the Military Circle Mall.
  - The request is to bring the existing nonconforming automobile and truck repair facility into compliance.
  - The site is currently developed with Dale's Train Station, a retail establishment, and multiple other commercial uses including three automobile repair businesses.
  - Automobile repair has been operating on this site prior to the current regulations requiring a special exception and the use is legally nonconforming.
  - The applicant proposes to intensify the site by constructing a communication tower thus requiring the site to come into compliance by obtaining a special exception to operate automobile repair.
  - A special exception is also required for the commercial communication tower.
- VI. **Historic Resources Impacts**

The site is not located in any local, state or federal historic district.

**VII. Public Schools Impacts**

The site is located in the Fairlawn Elementary, Lake Taylor Middle, and Booker T. Washington School zones.

Staff point of contact: Susan Pollock at 664-4765, [susan.pollock@norfolk.gov](mailto:susan.pollock@norfolk.gov)

**Attachments:**

- Staff Report to CPC dated May 26, 2016 with attachments
- Proponents and Opponents
- Ordinance



**Planning Commission Public Hearing: May 26, 2016**

Executive Secretary: George M. Homewood, FAICP, CFM

Staff: Susan Pollock Hart, CFM

Staff Report	Item No. 8	
Address	5880 Poplar Hall Drive	
Applicant	Dale Stocks Sr.	
Request	Special Exception	Automobile and Truck Repair
Property Owner	Daley Company, LC	
Site Characteristics	Site Area	1.3 Acres
	Zoning	C-2 (Corridor Commercial)
	Neighborhood	Military Circle/Glenrock
	Character District	Suburban
Surrounding Area	North	C-3 (Retail Center): Sears auto repair facility (vacant); Military Circle Mall
	East	R-13 (Moderate Density Multi-Family): multi-family
	South	Conditional C-2: Office site; R-6 (Single-Family)
	West	C-3 (Retail Center): Sears auto repair facility (vacant); Military Circle Mall





#### **A. Summary of Request**

- The site is located on the north side of Poplar Hall Drive to the south of the Military Circle Mall.
- The request is to bring the existing nonconforming automobile and truck repair facility into compliance.

#### **B. Plan Consistency**

The proposed special exception is consistent with *plaNorfolk2030*, which designates this site as Commercial.

#### **C. Zoning Analysis**

##### **i. General**

- The site is currently developed with Dale's Train Station, a retail establishment, and multiple other commercial uses including three automobile repair businesses.
- Automobile repair has been operating on this site prior to the current regulations requiring a special exception and the use is legally nonconforming.
- The applicant proposes to intensify the site by constructing a communication tower thus requiring the site to come into compliance by obtaining a special exception to operate automobile repair.
- A special exception is also required for the commercial communication tower.

##### **ii. Parking**

- The site is located in the Suburban Character District which requires:
  - One parking spaces per 250 square feet of commercial/office space (55 spaces)
  - For automobile repair, three parking spaces per bay (three bays requires 9 parking spaces)
  - The applicant has provided two parking spaces for the tower.
  - In total, 66 parking spaces are required and 73 are provided.

##### **iii. Flood Zone**

- The property is in an X (Low to Moderate) Flood Zone which is not a special flood hazard zone.

#### **D. Transportation Impacts**

- The site is currently operating with four service bay and the addition of a communication tower would not generate any additional vehicle trips per day.
- The site is near transit service with the major Hampton Roads Transit Military Circle transfer station servicing four separate routes (15 –Military, 20-Virginia Beach, 23-Princess Anne and 25-Newtown) near the site.

#### **E. Historic Context and Impacts**

The site is not located in any local, state or federal historic district.

**F. Public School Impacts**

The site is located in the Fairlawn Elementary, Lake Taylor Middle, and Booker T. Washington School zones.

**G. Impact on the Environment**

The applicant proposes to provide landscaping on the site along Poplar Hall Drive and around the dumpster.

**H. Impact on Surrounding Area/Site**

- The site is generally surrounded by commercial uses.
- The continued use of the site for automobile repair would not have a negative impact on the surrounding land uses.

**I. Payment of Taxes**

The owner of the property is current on all real estate taxes.

**J. Civic League**

A letter was sent to the Glenrock Civic League on April 13.

**K. Communication Outreach/Notification**

- Legal notice was posted on the property on April 19.
- Letters were mailed to all property owners within 300 feet of the property on May 13.
- Legal notification was placed in *The Virginian-Pilot* on May 12 and May 19.

**L. Recommendation**

Staff recommends that the special exception for automobile and truck repair be **approved** subject to the following conditions:

- (a) The hours of operation for the facility shall be from 10:00 a.m. until 6:00 p.m., Monday through Friday and from 10:00 a.m. to 2:00 p.m., Saturday and Sunday.
- (b) Only three automobile and truck repair businesses shall operate from the site and only four bays, as identified on the attached landscape plan, shall be used for automobile and truck repair.
- (c) The use of temporary signs shall comply with Chapter 16 of the Zoning Ordinance of the City of Norfolk, 1992 (as amended). The use of feather flags, pennants, and streamers is prohibited.
- (d) Subject to any limitation or preemption that may exist by operation of state law, an oil/water separator or other device approved by the city's Department of Public Works sufficient to capture leaks or spills related to the operation of the facility shall be installed and a hazardous materials management plan shall be prepared and submitted to the Department of Planning detailing the methods to be employed on the property in



order to minimize the infiltration into groundwater or surface waters of petroleum-based materials or other waste associated with the dispensing and handling of fuel or other potentially hazardous liquids. The use allowed by this special exception shall not commence until after this management plan is approved. Once approved, the plan shall be fully and continuously implemented.

- (e) There shall be no razor wire permitted on the site and any existing razor wire shall be removed.
- (f) The parking lot shall be striped in accordance with attached site plan.
- (g) There shall be no storage of wrecked or inoperative vehicles in the building or on the property without a work order or an insurance claim form.
- (h) All repair work shall be done inside the building. No repair work may take place outside.
- (i) No exterior storage, placement or any otherwise display of tires or other vehicle parts is allowed.
- (j) Dumpsters shall be gated and not visible from any public right-of-way, and will be screened.
- (k) During all hours of operation, the facility operator shall be responsible for maintaining those portions of public rights-of-way improved by sidewalk and portions of any parking lot adjacent to the premises regulated by the Special Exception so as to keep such areas free of litter, refuse, solid waste, and any bodily discharge.
- (l) The property shall be kept in a clean and sanitary condition at all times.
- (m) All automobile and truck repair facilities on the site shall maintain a current, active business license at all times while in operation.
- (n) No final approvals shall be provided to any new structure on the site prior to the implementation of the improvements indicated on the attached landscape plan.

**Attachments**

Zoning Map

Location Map

Application

Letter to Glenrock Civic League

## **Proponents and Opponents**

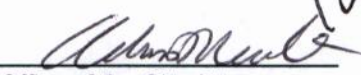
### **Proponents**

C.E. Forehand – Representative  
219 Sir Oliver Road  
Norfolk, VA 23505

### **Opponents**

None

Form and Correctness Approved

By   
Office of the City Attorney

Contents Approved:

By   
DEPT.

NORFOLK, VIRGINIA

## ORDINANCE No.

AN ORDINANCE GRANTING A SPECIAL EXCEPTION TO PERMIT THE OPERATION OF AN AUTOMOBILE REPAIR FACILITY ON PROPERTY LOCATED AT 5880 TO 5888 POPLAR HALL DRIVE.

- - -

BE IT ORDAINED by the Council of the City of Norfolk:

Section 1:- That a Special Exception is hereby granted to permit the operation of an Automobile Repair facility on property located at 5880 to 5888 Poplar Hall Drive. The property which is the subject of this Special Exception is more fully described as follows:

Property fronts 223 feet, more or less, along the northern line of Poplar Hall Drive, beginning 722 feet, more or less, from the western line of Glenrock Road and extending westwardly; premises numbered 5880 to 5888 Poplar Hall Drive.

Section 2:- That the Special Exception granted hereby shall be subject to the following conditions:

- (a) The hours of operation for the facility shall be limited to 10:00 a.m. until 9:00 p.m. Monday through Friday and 10:00 a.m. until 2:00 p.m. on Saturday and Sunday. No use of the facility outside of the hours of operation listed herein shall be permitted.
- (b) Only three (3) automobile and truck repair businesses shall operate from the site and only four (4) repair bays, in accordance with those identified on the landscape plan attached hereto and marked as "Exhibit A" shall be used for automobile and truck repair.
- (c) The use of temporary signs shall comply with Chapter 16 of the Zoning Ordinance of the City of Norfolk, 1992 (as amended). The use of feather



signs, flag signs, and pennants is expressly prohibited.

- (d) Subject to any limitation or preemption that may exist by operation of state law, an oil/water separator or other device approved by the city's Department of Public Works sufficient to capture leaks or spills related to the operation of the facility shall be installed and a hazardous materials management plan shall be prepared and submitted to the Department of Planning detailing the methods to be employed on the property in order to minimize the infiltration into groundwater or surface waters of petroleum-based materials or other waste associated with the dispensing and handling of fuel or other potentially hazardous liquids. The use allowed by this special exception shall not commence until after this management plan is approved. Once approved, the plan shall be fully and continuously implemented.
- (e) There shall be no razor wire permitted on the site and any existing razor wire shall be removed.
- (f) The parking lot shall be striped in accordance with attached landscape plan attached hereto and marked as "Exhibit A."
- (g) There shall be no storage of wrecked or inoperative vehicles in the building or on the property without a work order or an insurance claim form.
- (h) All repair work shall be done inside the building. No repair work may take place outside.
- (i) No exterior storage, placement or any otherwise display of tires or other vehicle parts is allowed.
- (j) Dumpsters shall be gated and not visible from any public right-of-way, and will be screened.
- (k) Test driving of the vehicles shall not occur within the neighborhood located in the vicinity of the site.
- (l) No vehicle associated with this facility shall be parked or displayed in any public right-of way, on

any unimproved surface, or within any sight distance triangle.

- (m) All bollards on the site shall be painted and maintained free of visible corrosion.
- (n) During all hours of operation the establishment operator shall be responsible for maintaining the property, those portions of public rights-of-way improved by sidewalk, and those portions of any parking lot adjacent to and used by customers of the premises regulated by the Special Exception so as to keep such areas free of litter and refuse.
- (o) The property shall be kept in a clean and sanitary condition at all times.
- (p) All automobile and truck repair facilities and other businesses on the site shall maintain a current, active business license at all times while in operation.
- (q) No final approvals, including no final approval of all building permits, shall be issued with regard to any new structure on the site until all improvements indicated on the landscape plan attached hereto and marked as "Exhibit A" have been fully implemented.

Section 3:- That the City Council hereby determines that the Special Exception granted herein complies with each of the requirements of § 25-7 of the Zoning Ordinance of the City of Norfolk, 1992 (as amended), namely that:

- (a) The proposed use and development will be in harmony with the objectives and policies of the adopted general plan and with the general and specific purposes for which this ordinance was enacted and for which the regulations of the district in question were established;
- (b) The proposed use and development will not substantially diminish or impair the value of the property within the neighborhood in which it is located;
- (c) The proposed use and development will not have an



adverse effect upon the character of the area or the public health, safety and general welfare. Conditions may be applied to the proposed use and development, as specified in section 25-8 below, to mitigate potential adverse impacts;

- (d) The proposed use and development will be constructed, arranged and operated so as not to interfere with the use and development of neighboring property in accordance with the applicable district regulations;
- (e) The proposed use and development will be served adequately by essential public facilities and services such as streets, public utilities, drainage structures, police and fire protection, refuse disposal, parks, libraries, and schools;
- (f) The proposed use and development will not cause undue traffic congestion nor draw significant amounts of traffic through residential streets;
- (g) The proposed use and development will not result in the destruction, loss or damage of natural, scenic or historic features of significant importance;
- (h) The proposed use and development will not cause substantial air, water, soil or noise pollution or other types of pollution which cannot be mitigated;
- (i) The proposed use and development will not cause a negative cumulative effect, when its effect is considered in conjunction with the cumulative effect of various special exception uses of all types on the immediate neighborhood and the effect of the proposed type of special exception use on the city as a whole;
- (j) The proposed use and development complies with all additional standards imposed on it by the particular provisions of the ordinance authorizing such use; and
- (k) No application for a special exception shall be recommended or granted until any and all delinquent real estate taxes owed to the City of Norfolk on the subject property have been paid.



Section 4:- That this ordinance shall be in effect from the date of its adoption.

ATTACHMENT:

Exhibit A (1 page)

# Exhibit A

PLANTING SCHEDULE						
TYPE	BOTANICAL NAME	COMMON NAME	CALIPER	HEIGHT	SPREAD	QUANTITY
CL	CUPRESSOCYPARIS LEYLANDII	LEYLAND CYPRESS	2 1/2" MIN.	8'	25' O.C.	3
MC	MYRICA CERIFERA	SOUTHERN WAX MYRTLE	-	3'-5'	18"-30"	40

\*TREE CONTAINER TO BE MIN. 25 GAL OR EQUIVALENT BALL AND BURLAP.

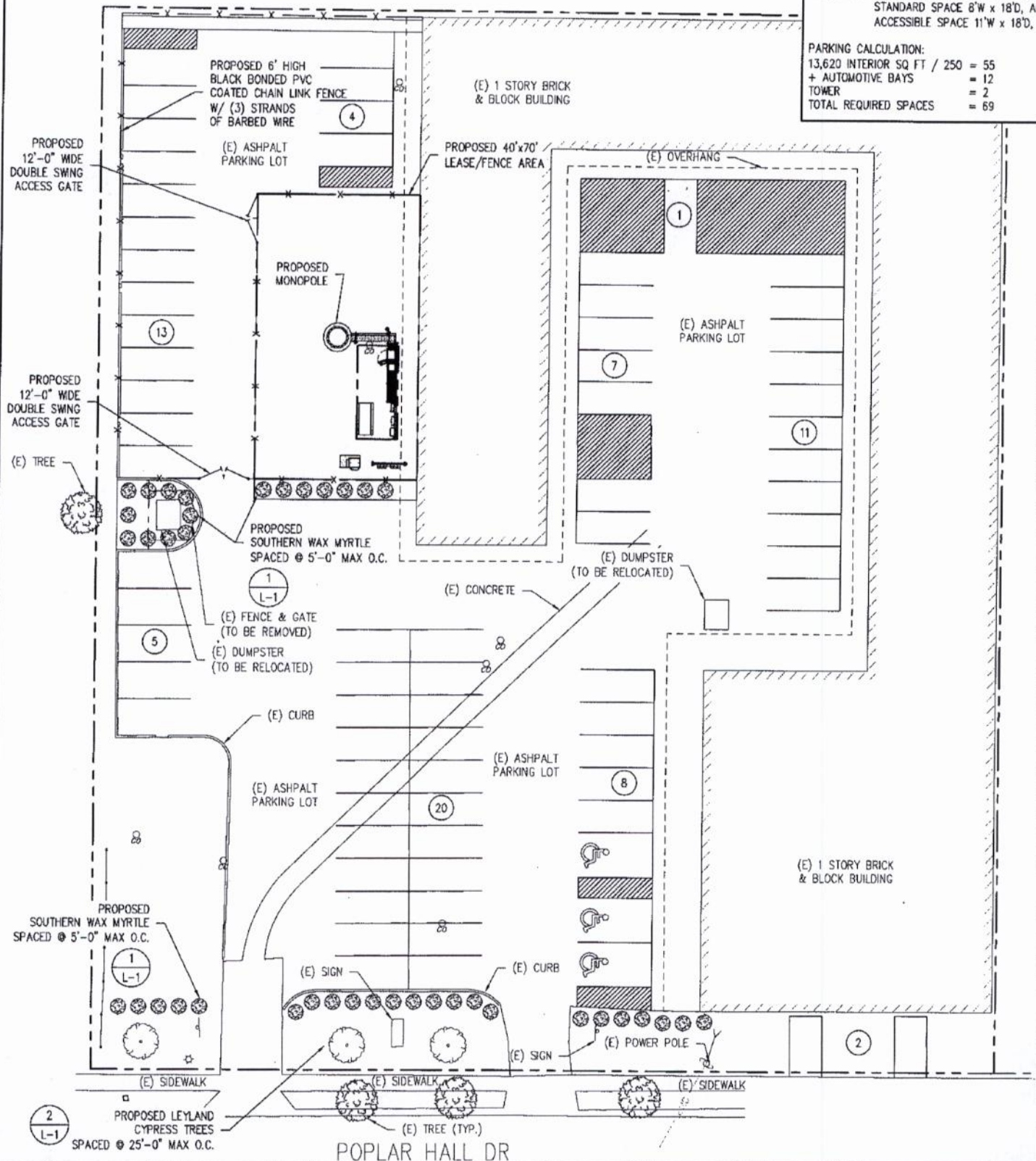
## PARKING REQUIREMENTS

PARKING TOTALS [REQUIREMENT]  
STANDARD SPACES 69'  
ACCESSIBLE SPACES 3

GRAND TOTALS:

\*REQUIRED: (1) PARKING FOR EACH 250 SQUARE FEET OF INTERIOR SPACE  
STANDARD SPACE 8'W x 18'D, AND  
ACCESSIBLE SPACE 11'W x 18'D, AND

PARKING CALCULATION:  
13,620 INTERIOR SQ FT / 250 = 55  
+ AUTOMOTIVE BAYS = 12  
TOWER = 2  
TOTAL REQUIRED SPACES = 69



## LANDSCAPE PLAN

FOR 24" X 36" PLOT - 1/16" = 1' 0.4"  
FOR 11" X 17" PLOT - 3/64" = 1' 0.4"



# Location Map



DALE D. STOCKS, SR.

POPLAR HALL DRIVE

FRIZZELL AVENUE

BROCKWELL AVENUE

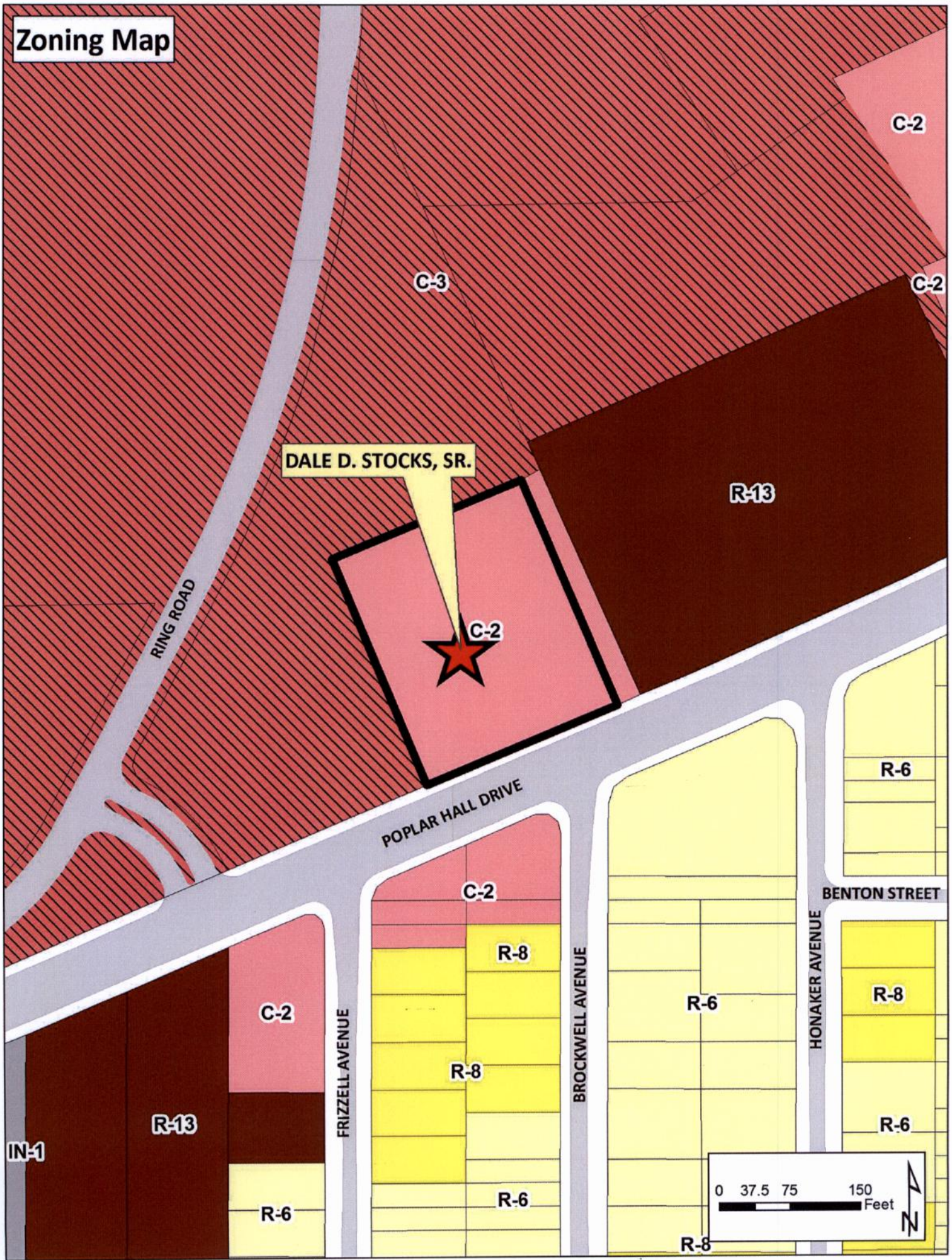
MISCELLANEOUS STREET

0 20 40 80 Feet

N



# Zoning Map





# Use Proximity Map

1000'

RING ROAD

DALE D. STOCKS, SR.

POPLAR HALL DRIVE

BENTON STREET

FINNEY STREET

FRIZZELL AVENUE

BROCKWELL AVENUE


HONAKER AVENUE


HICKS AVENUE

GLEN ROCK ROAD


FINNEY STREET


BARTEE STREET

 Proposed Location

 Automobile Repair Establishment

0 80 160 320 Feet







**APPLICATION  
SPECIAL EXCEPTION**

Special Exception for: Automobile Repair

Date of application: 3-30-16

**DESCRIPTION OF PROPERTY**

Property location: (Street Number) 5880 (Street Name) Poplar Hall Drive

Existing Use of Property Automotive Repair & Storage

Current Building Square Footage \_\_\_\_\_

Proposed Use Automotive Repair & Storage

Proposed Square Footage \_\_\_\_\_

Proposed Hours of Operation:

Weekday From 10 To 6

Friday From 10 To 6

Saturday From 10 To 2

Sunday From 10<sup>am</sup> To closed 2pm

Trade Name of Business (If applicable) \_\_\_\_\_

**DEPARTMENT OF CITY PLANNING**  
810 Union Street, Room 508  
Norfolk, Virginia 23510  
Telephone (757) 664-4752 Fax (757) 441-1569  
(Revised January, 2015)



Application  
Special Exception  
Page 2

**APPLICANT**

(If applicant is a LLC or a Corp./Inc., include name of official representative and/or all partners)

1. Name of applicant: (Last) Daley Co (First) \_\_\_\_\_ (MI) \_\_\_\_\_  
Mailing address of applicant (Street/P.O. Box): 5880 Poplar Hall Drive  
(City) Norfolk (State) VA (Zip Code) \_\_\_\_\_  
Daytime telephone number of applicant (757) 461-3636 Fax ( ) \_\_\_\_\_  
E-mail address of applicant: tinkey16cox.net

**AUTHORIZED AGENT (if applicable)**

(If agent is a LLC or a Corp./Inc., include name of official representative and/or all partners)

2. Name of applicant: (Last) Fencham (First) CE (MI) \_\_\_\_\_  
Mailing address of applicant (Street/P.O. Box): 219 S. Main St  
(City) Norfolk (State) VA (Zip Code) 23505  
Daytime telephone number of applicant (757) 650-1673 Fax ( ) \_\_\_\_\_  
E-mail address of applicant: cefhand@cox.net

**PROPERTY OWNER**

(If property owner is a LLC or a Corp./Inc., include name of official representative and/or all partners)

3. Name of property owner: (Last) Daley Co (First) \_\_\_\_\_ (MI) \_\_\_\_\_  
Mailing address of property owner (Street/P.O. box): 5880 Poplar Hall Drive  
(City) Norfolk (State) VA (Zip Code) \_\_\_\_\_  
Daytime telephone number of owner (757) 461-3636 email: tinkey16cox.net

**CIVIC LEAGUE INFORMATION**

Civic League contact: Glenrock David Hicks 757-739-4939

Date(s) contacted: \_\_\_\_\_

Ward/Super Ward information: \_\_\_\_\_

**REQUIRED ATTACHMENTS:**

- ✓ Required application fee, **\$355.00** (if check, make payable to the City of Norfolk).
  - Application fee includes a non-refundable \$5 technology surcharge.
- ✓ One 8½ x 14 inch or 11 x 17 inch copy of a physical survey, drawn to scale and showing site conditions and improvements (including portions of the right-of-way to the curb line):
  - Existing and proposed building structures
  - Driveways
  - Parking
  - Landscaping
  - Property lines (see attached example)
- ✓ One 8 ½ x 14 inch or 11 x 17 inch copy of a conceptual site plan drawn to scale and showing all proposed site improvements, landscaping, drive aisles and parking with dimensions, and proposed changes to parcel/property lines (including lease lines) if applicable.

**CERTIFICATION:**

I hereby submit this complete application and certify the information contained herein is true and accurate to the best of my knowledge:

Print name: \_\_\_\_\_ Sign: \_\_\_\_\_ / \_\_\_\_ / \_\_\_\_  
(Property Owner) (Date)

Print name: C.E. Fenechano Sign: [Signature] 2, 18, 16  
(Applicant) (Date)

**ONLY NEEDED IF APPLICABLE:**

Print name: Dale D. Stacks Sr. Sign: [Signature] 02, 18, 16  
(Authorized Agent Signature) (Date)  
Dale D. Stacks Sr.

## Pollock, Susan

---

**From:** Straley, Matthew  
**Sent:** Wednesday, April 13, 2016 11:01 AM  
**To:** 'wewatchglenrock@live.com'  
**Cc:** Riddick, Paul; Williams, Angelia M.; Goldin, Jamie; Pollock, Susan  
**Subject:** new Planning Commission application  
**Attachments:** Stocks.pdf

Mr. Hicks,

Attached please find the application for a special exception to operate an automobile repair establishment at 5880 Poplar Hall Drive.

The item is tentatively scheduled for the May 26, 2016 Planning Commission public hearing.

Staff contact: Susan Pollock Hart at (757) 664-4765, [susan.pollock@norfolk.gov](mailto:susan.pollock@norfolk.gov)

Thank You.

Matthew Straley  
GIS Technician II



City Planning  
810 Union Street, Suite 508  
Norfolk, VA 23510  
757-664-4769

Connect with us:  
[www.norfolk.gov](http://www.norfolk.gov)

